



City of Sweetwater

AGENDA PLANNING AND ZONING MEETING WEDNESDAY, AUGUST 16, 2017

- 1. ROLL CALL.**
- 2. PLEDGE OF ALLEGIANCE.**
- 3. INVOCATION.**
- 4. REPORTS OF OFFICERS, BOARDS AND COMMITTEES.**
- 5. PETITIONS-COMMUNICATIONS-REMONSTRANCES.**
- 6. APPROVAL OF MINUTES OF PLANNING AND ZONING MEETING OF July 20, 2017.**
- 7. ADVISORY RECOMMENDATIONS TO THE CITY COMMISSION:**

- (a) AN ORDINANCE OF THE SWEETWATER CITY COMMISSION REZONING THAT CERTAIN PROPERTY IDENTIFIED UNDER FOLIO NUMBER 25-4006-001-0943; CHANGING THE ZONING CATEGORY FROM RD (DUPLEX RESIDENTIAL) TO RM-15 (LOW DENSITY MULTI-FAMILY RESIDENTIAL); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR EFFECTIVE DATE.**

HEARING NO.: 2017-008

APPLICANT: EM Realty Holdings LLC

LOCATION: 135 SW 114 Ave

LEGAL DESCRIPTION: N100 ft of S200 ft of W1/2 of W1/2 of W1/2 of Lot 2 Blk 20 of Sweetwater Groves PB 8-50

SIZE OF PROPERTY: .37 ± acres

REQUEST: District Boundary Change from RD (Duplex Residential) to RM-15 (Low Density Multi-family Residential)

8. PUBLIC HEARING. NONE

9. GENERAL BUSINESS.

10. ADJORNMENT

OBJECTIONS AND WAIVERS OF OBJECTIONS MAY BE MADE IN PERSON AT THE HEARING OR FILED IN WRITING PRIOR TO THE HEARING DATE, IF FURTHER INFORMATION IS DESIRED, CALL 305-221-0411.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY PLANNING AND ZONING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (SEC.286.0105, FLORIDA STATUTES).

PERSONS WHO NEED ACCOMMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT CITY CLERK'S OFFICE AT 305-221-0411 BY NOON THE MONDAY PRIOR TO THE MEETING IN ORDER TO REQUEST SUCH ASSISTANCE. (AMERICAN WITH DISABILITIES ACT).



PLANNING AND ZONING BOARD NOTICE OF PUBLIC HEARING

HEARING NO.: 2017-008

APPLICANT: EM Realty Holdings LLC

LOCATION: 135 SW 114 Ave

LEGAL DESCRIPTION: N100 ft of S200 ft of W1/2 of W1/2 of W1/2 of Lot 2 Blk 20 of Sweetwater Groves PB 8-50

SIZE OF PROPERTY: .37 ± acres

REQUEST: District Boundary Change from RD (Duplex Residential) to RM-15 (Low Density Multi-family Residential)

A PUBLIC HEARING WILL BE HEARD IN SWEETWATER CITY HALL COMMISSION CHAMBERS, 500 SW 109 AVENUE, SWEETWATER, FLORIDA, ON:

WEDNESDAY, AUGUST 16, 2017 AT 8:00PM.

OBJECTIONS AND WAIVERS OF OBJECTIONS MAY BE MADE IN PERSON AT THE HEARING OR FILED IN WRITING PRIOR TO THE HEARING DATE, IF FURTHER INFORMATION IS DESIRED, CALL 305-221-0411.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY PLANNING AND ZONING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTEMONY AND EVIDENCE UPONWHICHTHE APPEAL IS TO BE BASED (SEC.286.0105, FLORIDA STATUTES).

PERSONS WHO NEED ACCOMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT CITY CLERK'S OFFICE AT 305-221-0411 BY NOON THE MONDAY PRIOR TO THE MEETING IN ORDER TO REQUEST SUCH ASSISTACE. (AMERICAN WITH DISABILITIES ACT).



City of Sweetwater

PLANNING AND ZONING MEETING July 20, 2017 MINUTES

1. **ROLL CALL.**
Present: Chairperson Suarez, Board members, Emigdio Prado, Mayra Morales
Isidrio Ruiz.
Also representing the City Attorney Guillermo Cuadra, Jorge Vera Zoning Official.
2. **PLEDGE OF ALLEGIANCE.**
City Attorney Guillermo Cuadra, led the pledge of allegiance
3. **INVOCATION.**
A moment of silence was observed in lieu of the invocation.
4. **REPORTS OF OFFICERS, BOARDS AND COMMITTEES.**
None
5. **PETITIONS-COMMUNICATIONS-REMONSTRANCES.**
None
6. **APPROVAL OF MINUTES OF PLANNING AND ZONING.**
Board approved April 12 meeting minutes
7. **ADVISORY RECOMMENDATIONS TO THE CITY COMMISSION:**

Prior to commencement of the reading of the items city attorney explain to the board that for these items their only action is an advisory recommendation to the City Commission. There is no action of approval or denial.

(A) APPLICATION NO.: 2017-004

AN ORDINANCE OF THE CITY OF SWEETWATER, FLORIDA GRANTING A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT FOR THAT CERTAIN PROPERTY IDENTIFIED UNDER FOLIO NUMBERS 25-4006-038-0001, 25-4006-080-0001, 25-4006-001-0264 and 25-4006-001-0265; CHANGING THE LAND USE CATEGORY FROM MODERATE MULTIFAMILY RESIDENTIAL TO MIXED USE RESIDENTIAL / COMMERCIAL; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR EFFECTIVE DATE.

APPLICANT: Collegiate City II, LLC.

LOCATION: SE corner of SW 110 Ave and SW 7 Street

LEGAL DESCRIPTION: PRINCE CONDO #1, SWEETWATER GROVES PB 8-50, BEG 115 FT EAST OF SW CORNER BLK 1, N125 FT, W30 FT, N125 FT, E215FT, S250FT, W185 FT TO POB BLK11.; AND

NEW PRINCE CONDO II, SWEETWATER GROVES PB8-50, S76.94FT OF W109.88FT BLK11.; AND

SWEETWATER GROVES PB8-50, S25FT OF W84.90FT OF N1/2 OF BLK11 & W114.87FT OF N48.06FT OF S1/2 OF BLK 11.; AND

SWEETWATER GROVES PB8-50, N97.86FT OF W84.90FT OF BLK 11.

SIZE OF PROPERTY: 1.72 ± acres

Chairperson Suarez read the item into the record. Zoning Official provided staff's recommendation to the Board. Applicants attorney (Alejandro Arias) made presentation to the Board.

Chairperson Suarez requested an explanation as to the difference in the location as shown in the advertisement and the one that the attorney provided. Zoning Official provided the explanation to the Board. Additionally the chairperson requested an explanation why the exhibits being references in the application were not attached. Zoning Official explained that those documents were very large in volume and it related to the ownership of the properties being bought by the applicant, but that the ownership of each property was review personally to assure conformance with the code. The Applicant attorney agreed with the Zoning Official's comments and further deliberated on the ownership of the properties

Chairperson Suarez requested that the City Commission take into consideration placing restrictions on the development in order to assure that the units within the project will be leased or rented only to students, faculty and staff of Florida International University. Zoning Official and applicant's attorney both stated that a restrictive covenant regarding that issue will be submitted to the city for its review and approval.

Chairperson Suarez also requested that the City Commission take into consideration that the applicant or property owner explores the opportunity of providing preferential consideration for a percentage of the employment related to this project be given to the residents of Sweetwater. Applicant attorney stated that they would look into how best to put into place that request.

Robert Herrera spoke on behave of the city regarding the job opportunities that this project can provide for the residents of Sweetwater and creating a job fair.

Chairperson Suarez moved the item to the City Commission with conditions; item was second by member Prado.

(B) APPLICATION NO.: 2017-005

AN ORDINANCE OF THE SWEETWATER CITY COMMISSION REZONING THAT CERTAIN PROPERTY IDENTIFIED UNDER FOLIO NUMBERS 25-4006-038-0001, 25-4006-080-0001, 25-4006-001-0264 AND 25-4006-001-0265; CHANGING THE ZONING CATEGORY FROM RM-15 (LOW DENSITY MULTI-FAMILY RESIDENTIAL) TO UC (UNIVERSITY CITY); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR EFFECTIVE DATE.

APPLICANT: Collegiate City II, LLC.

LOCATION: SE corner of SW 110 Ave and SW 7 Street.

LEGAL DESCRIPTION: PRINCE CONDO #1, SWEETWATER GROVES PB 8-50, BEG 115 FT EAST OF SW CORNER BLK 1, N125 FT, W30 FT, N125 FT, E215FT, S250FT, W185 FT TO POB BLK11.; AND
NEW PRINCE CONDO II, SWEETWATER GROVES PB8-50, S76.94FT OF W109.88FT BLK11.; AND
SWEETWATER GROVES PB8-50, S25FT OF W84.90FT OF N1/2 OF BLK11 & W114.87FT OF N48.06FT OF S1/2 OF BLK 11.; AND
SWEETWATER GROVES PB8-50, N97.86FT OF W84.90FT OF BLK 11.

SIZE OF PROPERTY: 1.72 ± acres

Chairperson Suarez read the item into the record. Zoning Official provided staff's recommendation to the Board and explained that this item is a companion of the previous item that was move to the commission. Applicants attorney (Alejandro Arias) made presentation to the Board ageing with the Zoning Official's comments.

There was a public question regarding the overall size of the project. Applicant's attorney explained that Phase 1 and the application for the project being discussed in this meeting encompasses from SW 109 Ave to SW 110 Ave between SW 7 Terrace and SW 7 Street.

The same advisory recommendations that were address with the prior application also pertain to this application.

Chairperson Suarez moved the item to the City Commission with conditions; item was second by member Ruiz.

(C) APPLICATION NO.: 2017-006

AN ORDINANCE OF THE SWEETWATER CITY COMMISSION REZONING THAT CERTAIN PROPERTY IDENTIFIED UNDER FOLIO NUMBER 25-3031-045-0001; CHANGING THE ZONING CATEGORY FROM I-1 (INDUSTRIAL LIGHT MANUFACTURING) TO C-2 (SPECIAL COMMERCIAL); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR EFFECTIVE DATE.

APPLICANT: MSV Dolphin Investments LLC.

LOCATION: NE corner of NW 112 Ave and NW 17 St

LEGAL DESCRIPTION: ALEMAN AT DOLPHIN CONDO, PORT OF W3/5 OF SEC DESC AS COMM SE COR OF TR B TH S 01 DEG E250.07FT S 89 DEG N 229.07FT FOR POB CONT S 89 DEG W 71.45FT SWLY AD 7147FT NELY AD 38.10FT NELY AD 201.86FT N 01 DEG W 25.61FT N 88 DEG E 189.01FT S 01 DEG E 244.54FT TO POB 250.07FT S 89 DEG N 229.07FT.

SIZE OF PROPERTY: 1.01 ACRES

Chairperson Suarez read the item into the record. Zoning Official provided staff's recommendation to the Board and explained that the zone change is to allow the property owner to have their property to be in compliance with the land use map of the comprehensive master plan. He further explained that when the new comprehensive master plan was adopted in 2014, several properties were not conforming with the new plan. The Planning and Zoning Board has reviewed prior applications that have request zone change in order to conform with the comprehensive mater plan.

Chairperson Suarez moved the item to the City Commission; item was second by member Morales and Ruiz.

8. PUBLIC HEARINGS: None

9. GENERAL BUSINESS. None

10. ADJORNMENT. Chairperson Suarez offered to second by member Ruiz.
Meeting adjourned at 9:10 PM.



MEMORANDUM

To: Mayor and City Commissioners
From: Jorge L. Vera
Ref: Application 2017-008
Date: July 17, 2017

Applicant: EM Realty Holdings LLC.

Folio Number: 25-4006-001-0943

Location: 135 SW 114 Ave

Background: The parcel designated Moderate Multi-family Residential on the city's Future Land Use Map. This designation allows a maximum density of 15 units per gross acre. The current zoning designation is RD (Duplex Residential) in the city's official zoning map.

Request District Boundary Change

1. District Boundary Change from RD (Duplex Residential) to RM-15 (Low Density Multi-family Residential).

Findings and Rational

Pursuant to Section 9.06.02(B) of the City of Sweetwater Land Development Regulations, decisions or recommendations relating to any change in zoning district boundary shall address, but not be limited to the effect of the proposed rezoning as it relates to the following:

1. **The relationship of the proposed rezoning to the purposes and objectives of the city's comprehensive master plan, with appropriate consideration as to whether or not the proposed changes will further the purpose of this code, regulations and action designed to implement said plan.**

The Application is in keeping with the City of Sweetwater's Comprehensive Plan in that it seeks to accommodate smart growth and development, while at the same time ensuring the availability of quality housing for its residents. With now more than 19,000 residents and still growing, coupled with the fact that there are very few remaining undeveloped lots in the City, new and modern housing options are becoming more and more necessary. This Application will allow for the provision of a small townhome development to a neighborhood already providing multi-family options and will be in complete alignment with the purpose and goals of the City's Master Plan. The Application will also ensure a higher return to the City in Ad Valorem taxes by six housing units, rather than one. Moreover, this Application will generate a significant amount of revenue in the form of application and impact fees.

2. The proposed change would or would not be contrary to the established land use pattern.

The Property is located immediately adjacent to RM-15 housing to the East and a large multi-family apartment building to the North. Thus, the approval of this Application will be in keeping with the established land use pattern of the neighborhood.

3. The proposed change would or would not create an isolated district unrelated to adjacent and nearby districts.

The Property is similar in size to other properties in the immediate area which have received the same zoning designation as the one being requested under this application. As stated above, the Property is located immediately adjacent to RM-15 zoned property, upon which exists a very large multi-family condominium. And to the North, there is an existing 2-story multi-family building. Consequently, the proposed change will not create an isolated district unrelated to adjacent and nearby districts.

4. The proposed change would or would not alter the population density pattern and thereby have an adverse impact upon public facilities such as schools, utilities and streets.

Currently, there are several families living on the Property. The proposed project, a 6-unit townhome project, will only slightly increase the number of residents. The underlying land use designation, Moderate Multi-Family Residential, fully anticipates and supports an RM-15 zoning designation. There is also sufficient water and sewer capacity for the proposed project. In light of the above, the proposed rezoning will not alter the pollution density pattern and will not have an adverse impact upon existing infrastructure.

5. Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for rezoning.

The Property is surrounded by larger, denser multi-family projects. Increasing the zoning from RD-Duplex to RM-15 will be in keeping with the surrounding districts and will allow for a better use of the Property, while providing the neighborhood with a pleasant and aesthetic transition between high density and low density uses.

6. Changed or changing conditions make the passage of the proposed amendment necessary.

In keeping with all of South Florida, vacant land in Miami has become scarce to non-existent. The municipalities in the Western corridor of Miami, such as Sweetwater, Doral, and Medley, now find themselves to be high in demand as the population continues to move West to live, work and play. Also, with the continued growth of its biggest resident, Florida International University, the availability of quality housing within the City's boundaries are at an all-time high. Approving this Application to give way to a new townhome development will, thus, serve the City and its residents well.

7. Substantial reasons exist why the property cannot be used in accordance with existing zoning.

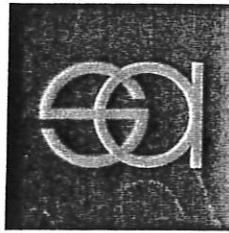
As previously discussed, vacant lands are hard to come by and re-development, as in all maturing cities, is the way of the future. Because of this, the cost of land has sky-rocketed, making the purchase of existing single-family or duplex properties, as in this case, a very expensive endeavor. Also, as stated above the property size is not that of typical duplex lot. The requested zone change will allow the Property to be redeveloped in a much more productive and efficient manner, while meeting the goals of responsible growth and housing availability.

8. Whether or not the change is out of scale with the needs of the neighborhood.

The proposed rezoning is completely in scale with the neighborhood and fulfills the need of the neighborhood by providing a modern, quality housing option. A townhome project on the Property is completely in keeping with the City's Comprehensive Plan and future growth expectations of the City. The Property is adjacent to two very large condominium projects without much of a buffer to the lower density homes. In summary, the proposed townhome project will offer a much needed transition in an aesthetically pleasing manner.

Staff Recommendation

Based on the aforementioned criteria, staff recommends approval of the District Boundary Change from RD (Duplex Residential) to RM-15 (Low Density Multi-family Residential).



via Hand Delivery to Building & Zoning
email to jvera@cityofsweetwater.fl.gov

June 26, 2017

Mr. Jorge L. Vera
Director, Building & Zoning
City of Sweetwater
1701 NW 112th Avenue, #2
Miami, Florida 33172

RE: LETTER OF INTENT - 135 S.W. 114TH AVENUE (the "Property")
Rezoning from RD, Duplex Residential, to RM-15, Low Density Residential

Dear Mr. Vera,

This firm represents EM Realty Holdings, LLC, the prospective purchaser of the above-referenced Property (the "Applicant"). Enclosed, please find a fully completed application for the rezoning of the Property to RM-15, Low-Density Residential (the "Rezoning" or this "Application").

The Property has an existing Land Use designation of Moderate Multi-Family Residential, with an existing zoning designation of RD, Duplex Residential. Currently there exists a duplex structure on the Property, which was built in 1957, and a stand-alone structure in the rear. To the North and East are existing 2-story multi-family apartment/condominium buildings. To the South and West, there are existing duplex structures.

The Applicant is requesting to up-zone the Property to RM-15 to allow for a modern 6-unit townhome development, which will serve nicely as a transition from the large multi-family buildings on the North and East side, to the smaller duplex buildings to the South and West.

It is the Applicant's position that the proposed rezoning is in keeping with the City's Comprehensive Plan and meets the review standards required by the City's Code of Ordinances (the "Code"), Section 9.06.02(B). Specifically:

- 1. The proposed rezoning is in keeping with the purpose and objectives of the City's Comprehensive Master Plan and the granting of the Application will further the purpose of the City's Code, regulations, and actions designed to implement both.*

The existing land use of Moderate Multi-Family Residential supports a zoning designation of up to RM-24. Thus, RM-15 is permitted and a Comprehensive Plan Amendment is not being sought. Moreover, in keeping with the purpose of all comprehensive plans, the City of Sweetwater's Comprehensive Plan seeks to accommodate smart growth and development, while at the same time ensuring the availability of quality housing for its residents. With now more than 19,000 residents and still growing, coupled with the fact that there are very few remaining undeveloped lots in the City, new and modern housing options are becoming more and more necessary. This Application will allow for the provision of a small townhome development to a neighborhood already providing multi-family options and will be in complete alignment with the purpose and goals of the City's Master Plan.

2. *The proposed rezoning is not contrary to the established land use pattern.*

The Property is located immediately adjacent to RM-15 housing to the East and a large multi-family apartment building to the North (see photos enclosed). Thus, the approval of this Application will be in keeping with the established land use pattern of the neighborhood.

3. *The proposed change is not and will not create an isolated district unrelated to adjacent and nearby districts.*

As stated above, the Property is located immediately adjacent to RM-15 zoned property, upon which exists a very large multi-family condominium. And to the North, there is an existing 2-story multi-family building. Consequently, the proposed change will not create an isolated district unrelated to adjacent and nearby districts.

4. *The proposed rezoning will not alter the population density pattern and will not have an adverse impact upon public facilities such as schools, utilities and streets.*

Currently, there are several families living on the Property. The proposed project, a 6-unit townhome project, will only slightly increase the number of residents. The underlying land use designation, Moderate Multi-Family Residential, fully anticipates and supports an RM-15 zoning designation. There is also sufficient water and sewer capacity for the proposed project. In light of the above, the proposed rezoning will not alter the population density pattern and will not have an adverse impact upon existing infrastructure.

5. *The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for rezoning.*

The Property is surrounded by larger, denser multi-family projects. Increasing the zoning from RD-Duplex to RM-15 will be in keeping with the surrounding districts and will allow for a bigger, better use of the Property, while providing the neighborhood with a pleasant and aesthetic transition between high density and low density uses.

6. *Changing conditions make the passage of the rezoning amendment necessary.*

In keeping with all of South Florida, vacant land in Miami has become scarce to non-existent. The

municipalities in the Western corridor of Miami, such as Sweetwater, Doral, and Medley, now find themselves to be high in demand as the population continues to move West to live, work and play. Also, with the continued growth of its biggest resident, Florida International University, the availability of quality housing within the City's boundaries are at an all-time high. Approving this Application to give way to a new townhome development, which will serve the City and its residents well.

7. *There exist substantial reasons why the Property cannot be used in accordance with existing zoning.*

As previously discussed, vacant lands are hard to come by and re-development, as in all maturing cities, is the way of the future. Because of this, the cost of land has sky-rocketed, making the purchase of existing single-family or duplex properties, as in this case, a very expensive endeavor. Thus, the minor increase in density requested will allow the Property to be developed in a much more productive and cost efficient manner, while meeting the goals of responsible growth and housing availability.

8. *The proposed rezoning is not out of scale with the needs of the neighborhood.*

The proposed rezoning is completely in scale with the neighborhood and fulfills the needs of the neighborhood by providing a modern, quality housing option. A townhome project on the Property is completely in keeping with the City's Comprehensive Plan and future growth expectations of the City. The Property is adjacent to two very large apartment/condominium projects without much of a buffer to the lower density homes. In summary, the proposed townhome project will offer a much needed transition in an aesthetically pleasing manner.

Based on the above and on behalf of the Applicant, I respectfully request your consideration and ultimate issuance of a recommendation of approval to the Planning & Zoning Board, and then, subsequently, for final approval by the City Commission.

If you have any questions or wish to discuss the above and/or the submitted documents, please do not hesitate to contact me.

Sincerely,



Lillian A. Ser, Esq.

Enclosures

cc: Mr. Manuel Salazar via email msalazar@cityofsweetwater.fl.gov



JUN 2 6 2017

Sec. 16 Twp. 54 Range 40

Date Received

2017-008

ZONING HEARING AND SITE PLAN REVIEW APPLICATION
CITY OF SWEETWATER
BUILDING AND ZONING DEPARTMENT

LIST ALL FOLIO NUMBER

25-4006-001-0943

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

EM Realty Holdings LLC

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: c/o Lillian A. Ser, Esq.
2100 Ponce de Leon Blvd., Ste. 1180
City: Coral Gables State: FL Zip: 33134

Phone# 305 222 7282 Fax# 305 675 0703 E-mail: Lilly@ser-associates.com

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners):

Juan Vicente Arias

Mailing

Address: 3281 SW. 153 Place

City: Miami State: FL Zip: 33185

4. CONTACT PERSON'S INFORMATION:

Name: Company: Lillian A. Ser, Esq.

Mailing Address: 2100 Ponce de Leon Blvd., Ste. 1180

City: Coral Gables State: FL Zip: 33134

Phone# 305 222 7282 Fax# 305 675 0703 E-mail: Lilly@ser-associates.com

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on CD in Microsoft Word.)

See Attached Survey

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

135 SW 114th Ave., Sweetwater, FL 33174

7. SIZE OF PROPERTY 116, 121 ft x _____ ft (in acres): .37 Acres
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ☒ acquired ☐ leased: 8/6/13 (month & year)

9. Lease term: N/A years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?

no ☒ yes ☐ If yes, provide complete legal description of said contiguous property.

11. Is there an option to purchase ☒ **or lease** ☐ the subject property or property contiguous thereto? no ☐
yes ☒ (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

EM Realty Holdings, LLC

12. PRESENT ZONING CLASSIFICATION:

RD Duplex Residential

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

☒ District Boundary (zone) Changes [Zone(s) requested]: RM 15 Low Density Multi-Family
(Provide a separate legal description for each zone requested)

☐ Unusual Use: _____

☐ Use Variance: _____

☐ Non-Use Variance: _____

☐ Site Plan Review: _____

☐ Conditional Use: _____

☐ Comprehensive Master Plan Amendment: _____

☐ Other: _____

14. Has a public hearing been held on this property within the last year & a half? no ☒ yes ☐.
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? no ☒ yes ☐. If yes, give name to whom the violation notice was served: and describe the violation:

16. Describe structures on the property:

Duplex

17. Is there any existing use on the property? no ☐ yes ☒. If yes, what use and when established?

Use: Residential - Duplex Year: 1957

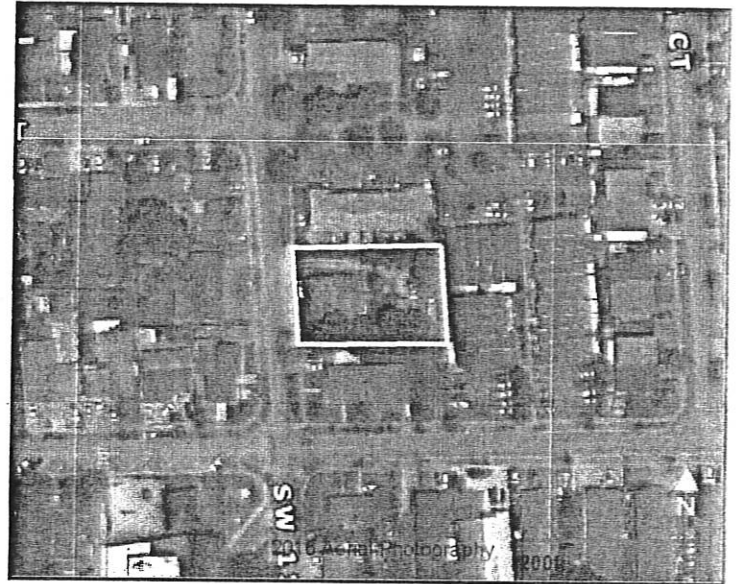


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/19/2017

Property Information	
Folio:	25-4006-001-0943
Property Address:	135 SW 114 AVE Sweetwater, FL 33174-1011
Owner	JUAN VICENTE ARIAS
Mailing Address	3281 SW 153 PL MIAMI, FL 33185 USA
PA Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	3 / 2 / 0
Floors	1
Living Units	1
Actual Area	1,960 Sq.Ft
Living Area	1,880 Sq.Ft
Adjusted Area	1,920 Sq.Ft
Lot Size	16,100 Sq.Ft
Year Built	1957



Assessment Information			
Year	2017	2016	2015
Land Value	\$147,232	\$122,694	\$87,777
Building Value	\$159,964	\$128,018	\$121,440
XF Value	\$803	\$803	\$552
Market Value	\$307,999	\$251,515	\$209,769
Assessed Value	\$276,666	\$251,515	\$209,414

Benefits Information				
Benefit	Type	2017	2016	2015
Non-Homestead Cap	Assessment Reduction	\$31,333		\$355

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
6 54 40 .37 AC	
SWEETWATER GROVES PB 8-50	
N100FT OF S200FT OF W1/2 OF W1/2	
OF W1/2 LOT 2 BLK 20	
LOT SIZE 100.000 X 161	

Taxable Value Information			
	2017	2016	2015
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$276,666	\$251,515	\$209,414
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$307,999	\$251,515	\$209,769
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$276,666	\$251,515	\$209,414
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$276,666	\$251,515	\$209,414

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/12/2015	\$100	29770-1923	Corrective, tax or QCD; min consideration
08/02/2013	\$100	29461-1160	Corrective, tax or QCD; min consideration
04/01/1981	\$80,000	11074-1442	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Prepared by and return to:
 Juan Vicente Arias
 3281 SW 153 Pl
 Miami, Florida 33185



CFN 20150582134
 OR BK 29770 Pg 1923 (1Pgs)
 RECORDED 09/09/2015 14:35:38
 DEED DOC TAX \$0.60
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

[Space Above This Line For Recording Data]

Corrective Quit Claim Deed

This Corrective Quit Claim Deed made this 12th day of January, 2015 between Vicente Arias (father), a single man, whose street address is 15257 SW 32 Terr, Miami, Florida 33185, grantor, and Juan Vicente Arias (son), a married man, whose street address is 3281 SW 153 PL, Miami, Florida 33185, corrects the date of the Quit Claim Deed dated August 6, 2013 filed on January 12, 2015 and recorded in the Official Records Book 29461, page 1160, of the Public Records of Miami-Dade County Florida (the Deed).

THIS ~~Deed~~ Corrective Quit Claim Deed is being recorded for the sole purpose of correcting the date of the Deed

The GRANTOR, on behalf of partners, heirs or successors for and in consideration of the sum of \$1.00, Quit Claims to the grantee the current possession of the following property with an address of 135 SW 114 Ave, Miami, Florida 33174, that bears the legal description of:

6 54 40 .37 AC

SWEETWATER GROVES PB 8-50

N100FT OF S200FT OF W1/2 OF W1/2

OF W1/2 LOT 2 BLK 20

LOT SIZE 100.000 X 161

OR 11074-1442 0481 1

Folio number: 25-4006-001-0943 to the GRANTEE.

Vicente Arias
 Vicente Arias (Grantor's Signature)

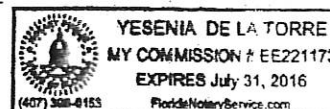
Rene A. Reyes
 Print Witness 1

Sandra Reyes
 Print Witness 2

Dated this 9th day of September, 2015

I, Yesenia De la Torre Notary Public in and for the state of Florida, and the county of Miami-Dade, do hereby certify that on this 9th day of September, 2015, Vicente Arias, personally appeared before me known to be or satisfactorily proven the individual described in and who executed the foregoing instrument.

NOTARY PUBLIC in and for the State of Florida
 My commission expires July 31, 2016



WARRANTY DEED
INDIVID TO INDIVID

APR 18 PM 12:25

REF 11074 PG 1442

RAMCO FORM 01

BIR102827

This Warranty Deed Made the 15th day of April A D 19 81 by
 ORLANDO A. VITALE and ANTOINETTE J. VITALE, his wife

hereinafter called the grantor, to

VICENTE ARIAS and GLORIA R. ARIAS, his wife

whose postoffice address is 135 S. W. 114th Avenue, Miami, Florida 33174

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Dade County, Florida, viz:

The North 100 feet of the South 200 feet of the West 1/2 of the West 1/2 of the West 1/2 of Lot 2, in Block 20, of SWEETWATER GROVES, according to the Plat thereof, as recorded in Plat Book 8, at Page 50, of the Public Records of Dade County, Florida



Together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 80

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Mariela Brooke

Heidi M. Aguirre

Orlando A. Vitale
 ORLANDO A. VITALE
Antoinette J. Vitale
 ANTOINETTE J. VITALE

STATE OF FLORIDA
 COUNTY OF DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

Orlando A. Vitale and Antoinette J. Vitale, his wife

to me known to be the person described in and who executed the foregoing instrument and they acknowledged to me that they executed the same

WITNESS my hand and seal of office the County and State last aforesaid this 15th day of

81

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
 MY COMMISSION EXPIRES MAY 30 1984
 BY GENERAL INS. UNDERWRITERS

This Instrument prepared by:

Address

A. Bilbao, Pres.
 American Title Services, Inc.
 2219 Coral Way
 Miami, FL 33145 (PA # 2447)

RECORDED IN OFFICIAL RECORDS BOOK
 OF DADE COUNTY, FLORIDA.
 RECORD VERIFIED
 RICHARD P. BRINKER,
 CLERK CIRCUIT COURT

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL(S)

STATE OF Florida Public Hearing No. _____
COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Juan Vicente Arias,
hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as: 135 S.W. 114th Ave, Sweetwater, Fl. 33174
North 100 feet of the South 200 feet of the West 112 of
the West 112 of Lot 2, in Block 20 of Sweetwater Groves
According to the Plat thereof, as recorded in Plat Book 8, at Page
50, of the Public Records of Dade County, Florida
Folio: 25-4006-001-6943
3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

X Joanne Gonzalez
Signature

Joanne Gonzalez
Print Name

X Julianne Gonzalez
Signature

Julianne Gonzalez
Print Name

X Juan Vicente Arias
Affiant's Signature

Juan Vicente Arias
Print Affiant's Name

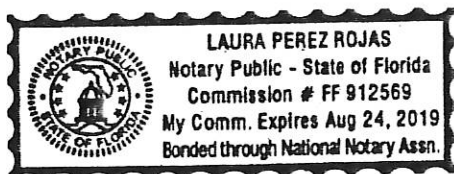
Affiant's Signature

Print Affiant's Name

Sworn to and subscribed before me on the 22 day of June, 2017
Affiant is personally known to me or has produced _____ as
identification.

Notary Laura Perez Rojas

Commission Expires: Aug. 24, 2019



(Stamp/Seal)

P. H. # _____

**Owner's Sworn-to-Consent
Permitting Tenant to File for a Hearing
(Individual)**

I, Juan Vicente Arias, being first duly sworn, do say that I am the Owner of the property legally described below and which is the subject of the proposed hearing and I hereby grant consent to Erm Realty Holdings LLC, as Tenant to file this application for a public hearing.
Purchaser

Legal Description: 135 SW 114th Ave, Sweetwater, FL 33174
North 100 feet of the South 200 feet of the West 112 of the West 112 of
Lot 2, in Block 20 of Sweetwater Groves, According to the Plat thereof, as
recorded in Plat Book 8, at page 50, of the Public Records of Dade County, Florida
Folio: 25-4006-001-0943

WITNESSES:

X Joanne Gonzalez
Signature

Joanne Gonzalez
Print Name

X Julianne Gonzalez
Signature

Julianne Gonzalez
Print Name

X Juan Vicente Arias
Individual Signature

Juan Vicente Arias
Print Name

Address: 3281 S.W 153rd Place
Miami, FL 33185

STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by Juan Vicente Arias, who is personally known to me or has produced _____, as identification.

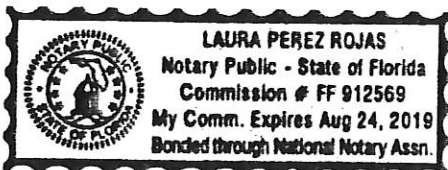
Witness my signature and official seal this 22 day of June, 2017 in the County and State aforesaid.

Laura Perez Rojas

Notary Public-State of Florida

Laura Rojas
Print Name

My Commission Expires:



APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing..

Signature

Sworn to and subscribed to before me Notary Public:

this _____ day of _____, _____. Commission Expires:

~~LLC CORPORATION AFFIDAVIT~~ EM Realty Holdings, LLC

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. ☒ Managing Member Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me Notary Public:

this 22 day of June, 2017. Commission Expires:



MY COMMISSION #FF169211
EXPIRES: OCT 16, 2018
Bonded through 1st State Insurance

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the aforesaid partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.

(Name of Partnership)

By _____ %
By _____ %

By _____ %
By _____ %

Sworn to and subscribed to before me Notary Public:

this _____ day of _____, _____. Commission Expires:

ATTORNEY AFFIDAVIT

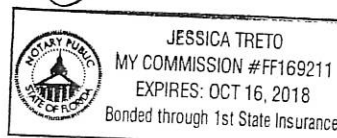
I, Lillian A. Ser, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

purchaser

Signature

Sworn to and subscribed to before me Notary Public:

this 22 day of June, 2017. Commission Expires:



ACKNOWLEDGEMENT BY APPLICANT

1. City of Sweetwater Public Works Department, Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.

2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a 300 feet from the subject property and I am responsible for paying and obtaining the mailing labels. the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 30 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.

3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.

4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.

5. Any covenant to be proffered must be submitted to the Department on forms provided by the Department, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

X EM Realty Holdings, LLC
(Applicant's Signature)

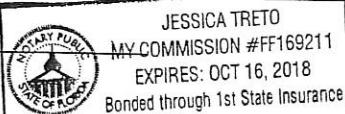
Pelayo Mendez
(Print Name of Applicant)

Managing member

Affiant is personally known to me or has produced

My commission expires

State of: FL



Sworn to and subscribed before me on the
22 Day of June, 2017

n/a as identification.

(Notary Public's Signature)

Print Name Jessica Treto

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: EM Realty Holdings, LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>Rafael Mander</u>	<u>60%</u>
<u>Eduardo Arzola</u>	<u>40%</u>
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NAME AND ADDRESS	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

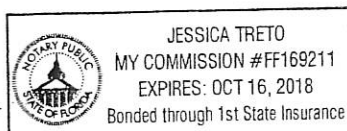
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature [Signature] Rafael Mander
(Applicant) (Print Applicant name)

Sworn to and subscribed before me this _____ day of _____, 2017. Affiant is personally known to me or has produced n/a as identification.

[Signature]
(Notary Public)



My commission expires: _____

Seal

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



Location Map